

1 PATRICK L. FORTE, #80050  
2 ANNE Y. SHIAU, #273709  
3 LAW OFFICES OF PATRICK L. FORTE  
One Kaiser Plaza, #480  
Oakland, CA 94612  
Telephone: (510) 465-3328  
Facsimile: (510) 763-8354

5 Attorneys for Debtor

6

7

8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 **In re:** **Case No. 13-43531 MEH**

11 **JONILYH OCAMPO RESUELLO,** **Chapter 13**

12 **Debtor.**

13 **DECLARATION OF DEBTOR IN  
SUPPORT OF CONFIRMATION OF  
CHAPTER 13 PLAN**

14 I, Jonilyh Ocampo Resuello, declare:

15 1. I am the debtor herein. The facts contained herein are within  
16 my personal knowledge and if called as a witness I can competently  
17 testify as to them.

18 2. I am informed and believe that as of the date I filed my Chapter  
19 13 petition my 2009 Toyota Sienna LE Minivan had a suggested retail Kelly  
20 Blue Book value of \$19,060. I am also informed and believe that  
21 "suggested retail" refers to a vehicle in perfect condition.

22 3. On or about June 26, 2013 I took the vehicle to Crocketts Premier  
23 Auto Body for an estimate of the cost of the body work necessary to  
24 repair all of the dents and scratches on the vehicle. The estimate came  
25 to \$9,454.17. A copy of the estimate is attached hereto as Exhibit A.

1           4. The body damage is the result of several different occurrences.  
2 Some of the damage was already there when I purchased the vehicle used.  
3 Other damage resulted from two separate hit-and-run situations while the  
4 vehicle was parked; once in a store parking lot, and once outside my  
5 apartment. Still other damage occurred when the vehicle was "keyed" by  
6 vandals.

7           5. Because there is no third party to hold responsible for any of  
8 the damage, the entire repair would rest with me and my insurance  
9 company. I have the vehicle insured with Farmers Insurance Company.

10          6. I contacted my insurance agent, who, in turn, sent a claims  
11 adjuster to inspect the vehicle. The adjuster inspected the vehicle on  
12 or about August 26, 2013 and he stated that each separate damage  
13 occurrence would result in a separate insurance claim. He stated that in  
14 order to completely repair the body damage five (5) separate claims would  
15 have to be opened. He prepared an estimate for each separate claim,  
16 although he ran out of forms so he stated that the estimate to repair the  
17 bumper would actually result in two (2) claims. Copies of the separate  
18 claim forms are attached hereto as Exhibits B, C, D, & E, respectively.

19          7. I am informed and believe that my deductible is \$500.00 per  
20 claim, so according to my insurance agent I would be responsible to pay  
21 deductibles totaling \$2,500.00 to have all of the repair work done. I am  
22 also informed and believe that according to my Farmers insurance agent,  
23 the five (5) insurance claims will result in an increase in my insurance  
24 premiums of 25% to 30%.

25          8. My current monthly income is approximately \$2,000 per month  
26 gross. I was unemployed all of 2011 & 2012. There is simply no way I can

1 afford to have the body damage to my vehicle repaired.

2 I declare under penalty of perjury under the laws of the State of  
3 California that the foregoing is true and correct.

4 Executed September 5, 2013, at Oakland, California

5 /s/ Jonilyh Ocampo Resuello  
6 Jonilyh Ocampo Resuello